

GOTTESMAN, WOLGEL, MALAMY, FLYNN & WEINBERG, P.C.
A Professional Corporation Incorporated in the State of New York

SAMUEL GOTTESMAN (1905-1974)
HAROLD H. WOLGEL (1920-2010)
KENNETH W. MALAMY
LAWRENCE L. FLYNN
STEVEN WEINBERG
STEWART W. LEB ◊

ATTORNEYS AT LAW
11 HANOVER SQUARE
NEW YORK, N.Y. 10005-2870

TELEPHONE (212) 493-0100
FACSIMILE (212) 480-9797

WRITERS E-MAIL:
arequests@gottesmanlaw.com

MEMO ENDORSED

RICHARD B. DEMAS
SUSANNA REQUETS ◊
KELSEY BILODEAU ◊

◊ Also Admitted in New Jersey

IN REPLY REFER TO

14561

March 19, 2014

VIA FACSIMILE 914-390-4278

Judge Cathy Seibel
The Federal Building and
United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

Application Granted / Denied
So Ordered.

Cathy Seibel
Cathy Seibel, U.S.D.J.

Dated: 3/24/14

Re: In Re: Fundex Capital Corporation
Index No. 09 CV 9222 (CS)

Dear Judge Seibel:

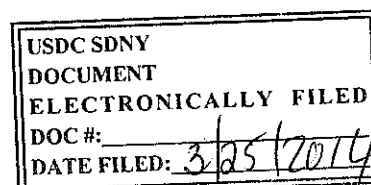
Our office represents the United States Small Business Administration as Receiver for Fundex Capital Corp. (the "Receiver"). This Court's Order issued November 23, 2009 ("Receivership Order") contained injunctive relief provisions that stayed any legal proceedings with respect to assets of Fundex Capital Corp. We are writing this letter to request waiver of the pre-motion conference and for permission to file a motion to review and approve the Third Receiver's Report for the period commencing November 1, 2012 through November 30, 2013.

Any requirement for a pre-motion conference should be waived since the motion to review and approve the Third Receiver's Report for the period commencing November 1, 2012 through November 30, 2013 is procedural and administrative in nature.

The Receiver has sent a courtesy copy of this letter to the former President of Fundex. There are no other parties who have appeared in this receivership proceeding.

If the application is acceptable to this Court to waive the pre-motion conference, we respectfully request that Your Honor advise as soon as possible so that we may serve the instant motion.

We remain available to answer any inquiry this Court may have. Thank you for your time and consideration.

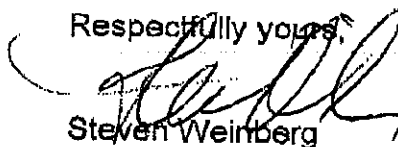


Judge Cathy Seibel

March 19, 2014

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Respectfully yours,



Steven Weinberg

SW:sl

cc: Lawrence I. Linksman
Former President
Fundex Capital Corp.
535 Fifth Avenue-26th Floor
New York, NY 10017

GOTTESMAN, WOLGEL, MALAMY, FLYNN & WEINBERG, P.C.

A Professional Corporation Incorporated in the State of New York

Attorneys at Law

11 Hanover Square

New York, NY 10005

(212) 495-0100

GWMF&W FACSIMILE NO. (212) 480-9797

COVER SHEET FOR FACSIMILE TRANSMISSION

FILE NO 14581
CLIENT/MATTER:

MESSAGE FROM: Steven Weinberg

DATE: March 24, 2014

TIME:

TOTAL NO. OF PAGES (INCLUDING COVER SHEET):

REMARKS

TO THE FOLLOWING:

FAX NO.:

**Judge Cathy Selbel
The Federal Building and
United States Courthouse**

914-390-4278

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